

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
Criminal No. 10-32(1) (JNE/XXX)

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	NOTICE OF MOTION AND MOTION OF
)	UNITED STATES FOR DETENTION
)	PENDING SENTENCING
DENNIS EARL HECKER,)	
)	
Defendant.)	

The United States of America, by its attorneys, B. Todd Jones, United States Attorney for the District of Minnesota, Assistant U.S. Attorneys Nicole A. Engisch, Nancy E. Brasel, and David M. Genrich, moves for the detention of the defendant pending sentencing on the following grounds:

1. Under Title 18, United States Code, Section 3148(b), the defendant has committed federal crimes while on release and is therefore subject to a rebuttable presumption that no condition or combination of conditions will assure that the defendant will not pose an economic danger to the safety of the community.

2. Under Title 18, United States Code, Section 3143, because the defendant has been found guilty of offenses and is awaiting imposition of his sentence, he should be detained absent clear and convincing evidence that he is not likely to flee or pose a danger to the safety of the community if released. The evidence in this case demonstrates that he is a flight risk and an economic danger to the community.

3. Please take notice that on January 4, 2011, at 11:00 a.m. in Courtroom 15E of the United States Courthouse, 300 South Fourth Street, Minneapolis, Minnesota, the United States will move the Court (Chief Judge Michael J, Davis presiding) for an order detaining the defendant pending sentencing.

This Motion is based on all of the files and proceedings in this matter, along with an accompanying memorandum of law.

Dated: January 3, 2011

Respectfully submitted,

B. TODD JONES
United States Attorney

s/ Nicole A. Engisch

BY: NICOLE A. ENGISCH
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DAVID M. GENRICH
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